

Burns, Marlene

From: Wisneski, Brenda
Sent: Wednesday, September 04, 2013 2:34 PM
To: Burns, Marlene
Subject: FW: Planning Commission meeting: Woody's Wharf Use permit and Variance.

From: Roger Etherington [<mailto:theplasticman60@gmail.com>]

Sent: Wednesday, September 04, 2013 2:31 PM

To: Henn, Michael; Petros, Tony; Hill, Rush; Daigle, Leslie; Selich, Edward; Gardner, Nancy; Curry, Keith

Cc: Bradley Hillgren; Fred Ameri; Jay Myers; Kory Kramer; Ray Lawler; Larry Tucker; Brown, Tim; Kiff, Dave; Brandt, Kim; Wisneski, Brenda; Harp, Aaron; Mulvihill, Leonie

Subject: Planning Commission meeting: Woody's Wharf Use permit and Variance.

To: The Mayor & members of the City Council:

Copy: Members of the Planning Commission:

Regarding: *"Woody's Wharf Use permit and Variance."*

Project File No.: **PA2011-055**

In 1965, I arrived in Newport Beach with my young family, directly from the U.K. & have lived in this beautiful city ever since. During these past 48 years we have always been impressed with the management of the city, led by the multiple Mayors & Council persons who have served ... even when confronting very contentious issues, the citizens have been listened to & these confrontations have been mutually resolved.

My wife & I moved to the 28th Street Marina, from our family home in Harbor Highlands in late 1992, so we were one of the original residents of this new condominium complex. I served as President of the HOA for the first 10 years & interacted with the City during our major reconstruction project. I also oversaw the negotiations regarding noise & trash issues with the neighboring business, *El Ranchito* & *McDonalds* restaurants and *Cassidy's Bar*. These issues were all resolved amicably & those businesses have been model neighbors over the intervening years.

The situation regarding *Woody's Wharf* restaurant, unfortunately has been another story entirely. *Woody's* has long been regarded as one of the best restaurants on the peninsula & we have dined there many, many times. The early evening entertainment with musicians & karaoke singing from the small interior stage, has also been part of the peninsula scene.

However the problem has been that *Woody's* has operated progressively in violation of its operating permit & city regulation, both in regard to noise levels & its hours of operation. All seemingly in total disregard of the pertinent city ordinances, a situation that stands in stark contrast to our other neighboring businesses.

We have never fully understood how *Woody's* has managed to operate in continuing violation, seemingly with impunity. Now *Woody's Wharf* is seeking approval from the city to change its mode of operation; from what has traditionally been a ***Restaurant***, with limited internal entertainment, to essentially operation as a full-fledged ***Night Club***, utilizing its open external area, while providing dining and snacks!! ... Operating under new use permits and relevant ordinances, which I am convinced from their past behavior, would also be likely ignored.

We plead with the City Council and its Planning Commission to **reject** this new application **in totality**. We have not seem fit to contact the city directly regarding this issue, as we believed it was most appropriate for it to be handled by our BOD sub-committee representatives ... but that does not mean that we are personally uninterested by this issue, as it does directly affect our lifestyle & the reasons that we have settled here.

Sincerely, **Roger & Barbara Etherington**.

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Newport Beach. 92663.

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